

REMARKS

In accordance with the foregoing, no claims have been amended, cancelled, or added. No new matter is being presented. Therefore, claims 1-3 and 6-44 are pending and reconsideration is respectfully requested.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

Applicant requests entry of this Rule 116 Response because further search by the Examiner is unnecessary since no new features are being added or no new issues are being raised and because the scope of the claims has not been altered.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1-3, 7-10, 14-15, 17-18, 22-24, 31-34, 38-39 and 44 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al (U.S. Patent 6,021,332) in view of Sawada et al (U.S. Patent 6,810,274), claims 16 and 40, are rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al (U.S. Patent 6,021,332) in view of Sawada et al (U.S. Patent 6,810,274) and further in view of Wang (U.S. Publication 2003/0013506), claims 6, 13 and 41-43 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al (U.S. Patent 6,021,332) in view of Sawada et al (U.S. Patent 6,810,274) and further in view of Miyashita (U.S. Patent 6,244,894), claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al (U.S. Patent 6,021,332) in view of Sawada et al (U.S. Patent 6,810,274), in view of Austin et al (U.S. Patent 6,590,303) and further in view of Griffith et al (U.S. Patent 6,917,280), claims 11, 25-30 and 35-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alberth, Jr. et al (U.S. Patent 6,021,332) in view of Sawada et al (U.S. Patent 6,810,274) and further in view of Austin et al (U.S. Patent 6,590,303), and claims 19 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wang (U.S. Publication 2003/0013506) in view of Sawada et al (U.S. Patent 6,810,274). These rejections are traversed.

Regarding the above-noted rejections, it is noted that all previous arguments for allowability are reiterated and incorporated herein. In addition, the following arguments are set forth.

According to page 2 of the outstanding Office Action, the Examiner disagrees with the applicants' position that the addition of the auxiliary memory of Sawada would be redundant and that, therefore, it is unclear why anyone skilled in the art would conclude that the suggested modification of Alberth would be beneficial. In support of this position, the Examiner notes that

Sawada discloses a detachable memory that can protect data stored in the semiconductor memories of the IC card of Alberth. The Examiner further notes that while Alberth lacks a teaching of a detachable memory, Sawada makes up for the deficiency.

Thus, it is the applicants' position that the central issue in question remains unresolved. That is, regardless of whether Sawada provides a teaching of a detachable memory that is not included in the reference to Alberth, it is unclear that the suggested modification of Alberth would be beneficial since Alberth provides no indication that a detachable memory is necessary for its operation. As such, it is unclear that the suggested combination is proper or that the claimed invention is obvious.

Specifically, in Alberth, the data stored in the memories 402 and 410 of the main battery 101 and the supplementary module 102, respectively, are never in danger of being unprotected due to a lack of a power source thereby necessitating a detachable memory. Indeed, Alberth discloses that the supplementary module is used "to avoid interruption in operation" and that the radio telephone "automatically switches between the main battery 101 and the auxiliary battery of the supplemental module 102." In other words, the presence of the supplemental module 102 insures that power is available to maintain the saving of any data during operation of the radiotelephone and, as a result, data is protected. Thus, as has been noted previously, the addition of the auxiliary memory of Sawada is redundant in view of the data storage ability provided by the auxiliary battery.

Thus, applicants respectfully assert that the rejections listed above are overcome and that the claims are, therefore, allowable.


CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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